

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant :	Cain, et al.	)
		)
App. No. :	UNKNOWN	)
		)
Filed :	HEREWITH	)
		)
For :	GRAPEVINE NAMED ‘SUGRATWENTYFOUR’	)
		)
Examiner :	UNKNOWN	)
		)

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14<sup>th</sup> Flr. Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

SUN WORLD INTERNATIONAL, INC.

Dated: 5-29-03

By: David O. Marguleas  
David O. Marguleas

Title: Senior Vice President,  
Marketing & Corporate Development

Address: 16350 Driver Road  
Bakersfield, California 93380

**DECLARATION - USA PATENT APPLICATION**

As below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names;

We believe we are the original inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **GRAPEVINE NAMED 'SUGRATWENTYFOUR'**;

**AVERMENT UNDER 37 C.F.R. §1.162**

We, DAVID W. CAIN and MICHAEL J. STRIEM, originated by hybridization a new and distinct variety called **GRAPEVINE NAMED 'SUGRATWENTYFOUR'** and have asexually reproduced plants of this variety;

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claim;

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56; and

**POWER OF ATTORNEY:** We hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14<sup>th</sup> Flr., Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of first inventor: **DAVID W. CAIN**

Inventor's signature: David W. Cain

Date: May 21, 2003

Residence: **6713 Mellon Ct., Bakersfield, California 93308**

Citizenship: **U.S.A.**

Post Office Address: **Same as above**

Full name of second inventor: **MICHAEL J. STRIEM**

Inventor's signature: *Michael Striem*

Date: 4-10-03

Residence: 12412 Sawtooth Ave., Bakersfield, CA 93312

Citizenship: **Israel**

Post Office Address: **Same as above**

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Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

**Customer No. 20,995**

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Application No.: UNKNOWN  
Filing Date: HEREWITH

Client Code: SUNWOPT.045P  
Page 1

## ASSIGNMENT

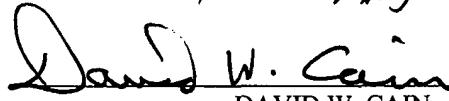
WHEREAS, I, DAVID W. CAIN, a citizen of U.S.A., residing at 6713 Mellon Ct., Bakersfield, California, 93308, and MICHAEL J. STRIEM, a citizen of Israel, residing at 12412 Sawtooth Ave., Bakersfield, CA 93312 have invented certain new and useful improvements in a GRAPEVINE NAMED 'SUGRATWENTYFOUR' for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, SUN WORLD INTERNATIONAL, INC. (hereinafter "ASSIGNEE"), a Delaware Corporation, with its principal place of business at 16350 Driver Rd., Bakersfield, California 93380, desires to acquire the entire right, title, and interest in the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest in the United States in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof; and I hereby authorize and request the Commissioner of Patents of the United States to issue all Letters Patent to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all related applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in the United States.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 21 day of May, 2003



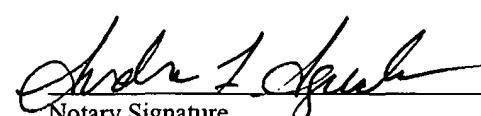
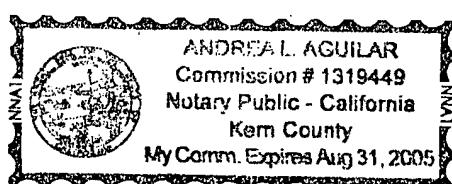
DAVID W. CAIN

STATE OF California }  
COUNTY OF Kern } ss.

On May 21, 2003, before me, Andrea L. Aguilar, personally appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that executed the same in authorized capacity(ies), and that by signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Notary Signature

# COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of April, 2003

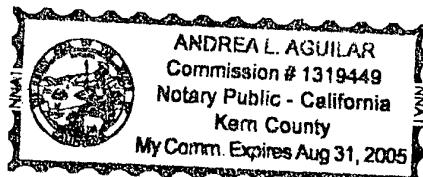
Michael Striem  
MICHAEL J. STRIEM

STATE OF California }  
COUNTY OF Kern } ss.

On April 10, 2003, before me, Andrea L. Aguilar, Notary Public, personally appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that executed the same in authorized capacity(ies), and that by signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Andrea L. Aguilar  
Notary Signature

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